

1 BILL NO. ~~R~~80- 02-25

2
3 RESOLUTION NO. R- 44-80

4 A RESOLUTION of the Common Council setting forth
5 the policy of the City in regard to the annexation
6 of the HWI area.

7 WHEREAS, the annexation of territory to the city is a
8 legislative function; and,

9 WHEREAS, the Common Council is called upon in the preparation
10 of the City budget to provide for the furnishing of municipal services to
11 the entire City including the newly annexed areas; and,

12 WHEREAS, the Common Council desires that newly annexed areas
13 received the full measure of municipal services; and,

14 WHEREAS, the Common Council has before it an ordinance for
15 the annexation of the HWI annexation area, more specifically:

16 Part of the Northeast Quarter of Section 33 Township
17 31 North Range 13 East Allen County, Indiana more
18 particularly described as follows:

19 Beginning at the Southwest corner of the Northeast
20 Quarter of said Section 33 said point being in the
21 centerline of State Street; thence North 01 degrees
22 00 minutes 44 seconds East (assumed) along the West
23 line of said Northeast Quarter a distance of 1,398.00
24 feet; thence Northeasterly 40.38 feet along a curve
25 deflecting to the right having a radius of 250 feet
26 not tangent to the last course being subtended by a
27 chord having a length of 40.33 feet and a bearing
28 of North 47 degrees 35 minutes 56 seconds East; thence
29 South 20 degrees 19 minutes 06 seconds East on a line
30 not tangent to the last described curve course a dis-
31 tance of 179.86 feet; thence South 55 degrees 30 minutes
32 34 seconds East a distance of 151.26 feet; thence
South 18 degrees 50 minutes 45 seconds East a dis-
tance of 194.66 feet; thence South 53 degrees 42
minutes 32 seconds West a distance of 191.95 feet;
thence South 25 degrees 02 minutes 41 seconds East
a distance of 244.70 feet; thence South 64 degrees
40 minutes 30 seconds East a distance of 284.41 feet;
thence North 85 degrees 44 minutes 04 seconds East a
distance of 178.14 feet; thence North 60 degrees 34
minutes 35 seconds East a distance of 262.24 feet;
thence South 36 degrees 54 minutes 22 seconds East a
distance of 205.21 feet; thence South 65 degrees 10
minutes 34 seconds West a distance of 28.25 feet;
thence South 26 degrees 11 minutes 16 seconds West a
distance of 131.58 feet; thence South 29 degrees 55
minutes 08 seconds West a distance of 338.12 feet;
thence South 01 degrees 07 minutes 22 seconds West
a distance of 40.99 feet to a point on the centerline
of State Street; thence along the centerline of State
Street by the following described courses; South 78
degrees 45 minutes 54 seconds West a distance of 120.60

feet; thence Southwesterly 296.00 feet along a curve having a radius of 1,388.23 feet deflecting to the right and tangent to the last described course being subtended by a chord having a length of 295.44 feet and a bearing of South 84 degrees 52 minutes 24 seconds West; thence North 89 degrees 01 minutes 06 seconds West along a line tangent to the last described curve course a distance of 374.09 feet to the point of beginning, being subject to public road right-of-way of State Street and containing 15.50 acres, more or less.

BE IT THEREFORE RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:


SECTION 1. That in the case of the HWI annexation it is the policy of the City of Fort Wayne to follow the provisions of Common Council Resolution No. R-56-79 with regard to the provision of non-capital and capital services to the annexation area.

SECTION 2. That it is the policy of the City to follow the annexation fiscal plan for said described territory as prepared by the Department of Community Development and Planning.

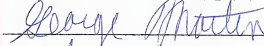
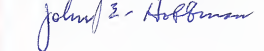
SECTION 3. That said plan sets forth the cost estimates of the services to be provided, the methods of financing these services, the plan for the organization and extension of these services to be provided, and delineates the planned services of a non-capital nature, including police protection, fire protection, street and road maintenance, and other non-capital services which are normally provided within the existing corporate boundaries, that will be provided to the annexed territory within one (1) year from the effective date of annexation. These services will be provided in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City which have similar topography, patterns of land utilization, and population density. The plan delineates the capital improvement services to be provided within three (3) years of annexation. These services are to be provided to the annexed territory in the same manner as they are provided to areas within the City which have similar topography, patterns of land utilization, and population density, and in a manner consistent with federal, state and local laws, procedures and planning criteria. The plan includes a plan for hiring employees of other governmental entities whose jobs will be eliminated by this annexation.

SECTION 4. Said plan is hereby approved and adopted by the Common Council and shall be in force upon the effective date of the HWI annexation ordinance.

CITY OF FORT WAYNE


Councilmember

APPROVED AS TO FORM & LEGALITY:

Read the first time in full and on motion by Gia Quinta,
seconded by Busback, and duly adopted, read the second time
by title and referred to the Committee Regulations (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,
Indiana, on _____, 19____, the _____ day of _____,
at _____ o'clock _____ M., E.S.T.

DATE: 2-26-80

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by Gia Quinta,
seconded by Stier, and duly adopted, placed on its
passage. PASSED (~~Lost~~) by the following vote:

| | <u>AYES</u> | <u>NAYS</u> | <u>ABSTAINED</u> | <u>ABSENT</u> | <u>TO-WIT:</u> |
|--------------------|-------------|-------------|------------------|---------------|----------------|
| <u>TOTAL VOTES</u> | <u>8</u> | <u>0</u> | _____ | <u>1</u> | _____ |
| <u>BURNS</u> | <u>X</u> | _____ | _____ | _____ | _____ |
| <u>EISBART</u> | <u>X</u> | _____ | _____ | _____ | _____ |
| <u>GiaQUINTA</u> | <u>X</u> | _____ | _____ | _____ | _____ |
| <u>NUCKOLS</u> | <u>X</u> | _____ | _____ | _____ | _____ |
| <u>SCHMIDT, D.</u> | <u>X</u> | _____ | _____ | _____ | _____ |
| <u>SCHMIDT, V.</u> | <u>X</u> | _____ | _____ | _____ | _____ |
| <u>SCHOMBURG</u> | <u>X</u> | _____ | _____ | _____ | _____ |
| <u>STIER</u> | <u>X</u> | _____ | _____ | _____ | _____ |
| <u>TALARICO</u> | _____ | _____ | _____ | <u>X</u> | _____ |

DATE: 5-13-80

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)
(APPROPRIATION) ORDINANCE (Resolution) (RESOLUTION) No. B-44-80
on the 13th day of May, 1980.

ATTEST:

(SEAL)

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Divian S. Schriep
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 4th day of May, 1980, at the hour of
11:30 o'clock P.M., E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 16th day of May
1980, at the hour of 4 o'clock P.M., E.S.T.

Winfield C. Moses, Jr.
WINFIELD C. MOSES, JR.
MAYOR

hold until 4/15

R-80-02-35

BILL NO. _____

REPORT OF THE COMMITTEE ON ANNEXATION

WE, YOUR COMMITTEE ON ANNEXATION TO WHOM WAS REFERRED AN
ORDINANCE A RESOLUTION of the Common Council setting forth the policy
of the City in regard to the annexation of the HWI area

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

MARK GIAQUINTA, CHAIRMAN

DONALD J. SCHMIDT, VICE CHAIRMAN

JAMES S. STIER

PAUL M. BURNS

SAMUEL J. TALARICO

Mark E. GiaQuinta

D Schmidt

James S. Stier

Paul M. Burns

5-13-80

CONCURRED IN

DATE _____ CHARLES W. WESTERMAN, CITY CLERK

REQUEST FOR ACTION

Number assigned by John Hoffman's Office: 4789

TO: City Attorney John E. Hoffman
or
Associate City Attorney George Martin / 12th Floor Lincoln Bank

FROM: (Name, Title & Department) Paul Zisla, Associate Planner - CD&P

APPROVED BY: Kennic A. McGory
(Person authorized to forward legal work)

DATE: February 12, 1980

SUBJECT: Resolution for Voluntary Annexation of HWI
(File subject designation)

File # Assigned by Records Librarian

Date: _____

ACTION REQUESTED: Approve legality and form of proposed resolution for the
annexation of HWI.

(Continue on reverse side, if necessary)

CC: City Attorney John E. Hoffman
(If request originally sent to an Associate City Attorney)
Mayor Winfield C. Moses, Jr.
Department Head of Requesting Party

DIGEST SHEET

TITLE OF ORDINANCE Resolution setting forth City policy for the voluntary annexation of HWI.

DEPARTMENT REQUESTING ORDINANCE CD&P

SYNOPSIS OF ORDINANCE Resolution sets forth City policy for annexing HWI and for providing services to the area.

8-80-02-35

EFFECT OF PASSAGE The City is more assured of being in compliance with Indiana annexation law upon the annexation of HWI.

EFFECT OF NON-PASSAGE The City is less likely to be in compliance with Indiana annexation law upon the annexation of HWI.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) To be explained by the fiscal plan to be prepared for the HWI annexation.

ASSIGNED TO COMMITTEE (J.N.) *Annexation*